

October 28, 2021

VIA CM/ECF

The Honorable Joanna Seybert
United States District Judge
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 1030
Central Islip, New York 11722

Re: *Rigrodsky Law, P.A. v. Acamar Partners Acquisition Corp. (N/K/A CarLotz, Inc.), et al., No. 2:21-cv-04567 (E.D.N.Y.) (JS) (JMW)*

Dear Judge Seybert:

With permission of counsel for the CarLotz Defendants, I write to follow up on the October 8, 2021 pre-motion conference and, in particular, to address Your Honor's inquiry whether the parties would be willing to meet with Magistrate Judge James M. Wicks to explore a possible resolution of this case.

Following the pre-motion conference, Plaintiff and the CarLotz Defendants conferred and have agreed to commence direct discussions regarding a possible resolution. The parties believe that they will be in a position to determine whether they can reach a compromise in reasonably short order. If we are unable to do so, we would welcome the opportunity to the meet with Magistrate Judge Wicks to attempt to resolve the action with his assistance. Both parties agree that briefing on Plaintiff's motion to remand and the CarLotz Defendants' motion to dismiss (together, the "Motions") should be held in abeyance while settlement talks proceed and that, should no resolution be reached, the parties would resume briefing the Motions on a coordinated schedule once the remaining defendants are properly served, subject to Court approval. We believe this is the most efficient manner of proceeding at this juncture and respectfully request that the Court so-order the attached stipulation reflecting the parties' agreement.

We thank the Court for its attention to this matter and are available to discuss these issues at the Court's convenience.

Hon. Joanna Seybert, U.S.D.J.
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Respectfully submitted,

/s/ Timothy MacFall
Timothy MacFall

CC: All Counsel of Record (via CM/ECF)